

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

JOSEPH SHINE-JOHNSON,

Petitioner, : Case No. 2:20-cv-1873

- vs -

Chief Judge Algenon L. Marbley
Magistrate Judge Michael R. Merz

WARDEN,
Belmont Correctional Institution,

:

Respondent.

ORDER STRIKING SUPPLEMENTAL MEMORANDUM

This habeas corpus case is before the Court on Petitioner's Supplemental Memorandum Opposing Report and Recommendations and Reply to Respondent's Response to Petitioner's Objections (ECF No. 114).

On October 4, 2022, the Magistrate Judge filed a Report (ECF No. 111) recommending that Petitioner's Motion for Relief from Judgment under Fed.R.Civ.P. 60(b)(ECF No.110) be denied. Under Fed.R.Civ.P. 72(b), Petitioner had seventeen days to file objections, a deadline of which he was notified (ECF No. 111, PageID 7565). Petitioner filed Objections on October 20, 2022 (ECF No. 112). Under Fed.R.Civ.P. 72(b), Respondent had fourteen days to respond to Petitioner's Objections and the Warden did so on October 24, 2022 (ECF No. 113).

Rule 72(b) does not authorize any filing beyond objections and a response to those objections. In particular it does not authorize filing in an untimely manner supplemental objections to the Report **or** responding to the other party's objections. Because its filing is not authorized

either by rule or by order of this Court, it is STRICKEN.

November 8, 2022.

s/ Michael R. Merz
United States Magistrate Judge